



State of Utah
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DIVISION OF OIL, GAS AND MINING

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TO: **Internal File**

FROM: Susan M. White, Senior Reclamation Biologist and Project Lead *SMW*

RE: Permit Area Reduction, PacifiCorp, Des Bee Dove Mine, **017-AM00D**,
Internal File

SUMMARY:

Proposed changes to the Des Bee Dove permit area were received on April 14, 2000, August 3, 2000 and November 1. This amendment proposes to reduce the permit area boundary. In the technical analysis dated June 12, 2000 several deficiencies were raised. Among other deficiencies with the operators response, the operator has failed to address the deficiencies in a format appropriate for incorporation into the Mining and Reclamation Plan. The proposed amendment continues to be deficient.

TECHNICAL ANALYSIS :

ADMINISTRATIVE INFORMATION

OWNERSHIP AND CONTROL INFORMATION

Regulatory Reference: R645-301-112

Analysis:

The applicant is PacifiCorp, an Oregon corporation. PacifiCorp is a wholly-owned subsidiary of Scottish Power, a foreign corporation. Energy West Mining Company, a wholly owned subsidiary of PacifiCorp is the operator. The application gives the name, address and telephone number of the applicant and operator (page 2). The resident agent is identified as Charles Semborski. Employer I.D. Number is 99-0246090. PacifiCorp will pay the abandoned mine reclamation fee.

TECHNICAL MEMO

Ownership and control information is in Appendix A. The names, addresses, permit numbers, regulatory authorities, and MSHA numbers together with dates of issuance for coal mining and reclamation operations owned or controlled by the applicant is found in section R645-301-112.400.

Section R645-301-112.600 list surface and subsurface owners of record contiguous to the permit area. Section R645-301-114 list right of entry information and shows the surface ownership information. Since the operator has a reclamation permit, no subsurface ownership information is required.

PacifiCorp is owner of fee surface and coal rights contiguous to the permit area. There are no holders of record of any leasehold interest in areas affected by surface operations of facilities or coal to be mined other than oil and gas leases and grazing permits.

Findings:

Information provided in the application is adequate to meet the requirements of this section of the regulations.

RIGHT OF ENTRY

Regulatory Reference: R645-301-114

Analysis:

Section R645-301-114 list right of entry information and shows the surface ownership information. The surface lands are owned and controlled by the Forest Service, Bureau of Land Management, State of Utah, and PacifiCorp.

Findings:

Information provided in the application is considered adequate to meet the requirements of this section.

RECLAMATION PLAN

POSTMINING LAND USES

Regulatory Reference: 30 CFR Sec. 784.15, 784.200, 785.16, 817.133; R645-301-412, -301-413, -301-414, -302-270, -302-271, -302-272, -302-273, -302-274, -302-275.

Analysis:

No information could be found in the application describing how the land has met the stated postmining land use, including a discussion of the utility and capacity of the land after mining. This should include an analysis of raptor monitoring data for the permit area, operational and post-operational grazing AUM's, and other land use data. A demonstration must be provided on how the mined land has met the surface owner or surface manager plans and programs described in the permit. This may include comments or letters from the surface land owners.

Findings:

The information provided is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

UCA 40-10-2(2) and R645-301-413, the application must contain a description of how the land has met the stated postmining land use and how the mined land has met the surface owner or surface manager plans and programs described in the permit.

RECOMMENDATION:

The above noted deficiencies (**UCA 40-10-2(2) and R645-301-413**) must be addressed prior to approval.